

THE STATE BAR OF CALIFORNIA

**AGENDA**

**BOARD OF GOVERNORS MEETING**

AT

The State Bar Offices  
180 Howard Street  
San Francisco, California 94105

May 16 and 17, 2003

**OPEN SESSION**

*(The times listed below are a guideline. The President reserves the right to adjust this schedule.)*

Time (estimates only)

***Friday, May 16, 2003***

**700 MISCELLANEOUS**

4:00 p.m.  
(1 hour)

701 State Court Funding—presentation by Senator Joe Dunn, and William C. Vickrey, Administrative Director, Administrative Office of the Courts

**[SPECIAL ORDER OF BUSINESS: 4:00 p.m.]**

**RECESS**

5:00 p.m.

***Saturday, May 17, 2003 (Board meeting continued)***

**10 MINUTES**

10:00 a.m.  
(1 minute)

March 20-21, 2003  
April 16, 2003 [Special Meeting]

### **30 PRESIDENT'S REPORT**

10:01 a.m.  
(15 minutes)

1. *Seniors and the Law: A Guide for Maturing Californians*—acknowledgment of staff: Kristina Horton Flaherty, Publications Specialist; E.J. Bernacki, Public Information Officer; and attorney member Helen Karr
2. Creation and Appointment of ABA Working Group to Work with the State Bar Delegates to the ABA House of Delegates, and California ABA Host Committee and the Bar Association of San Francisco re the ABA Annual Meeting to be Held in San Francisco in August
3. Supreme Court's Advisory Committee on Lawyer Regulation ("Lui Report")

### **40 STAFF REPORTS**

10:16 a.m.  
(8 minutes)

#### **41 Executive Director**

#### **42 Secretary's Report**

### **50 CONSENT AGENDA**

10:24 a.m.  
(3 minutes)

- |             |        |  |
|-------------|--------|--|
| (Capozzi)   | 51     | Financial Statements for the Quarter Ended March 31, 2003  |
| (Capozzi)   | 52     | Investments Reports for the Quarter Ended March 31, 2003   |
| (Capozzi)   | 53     | Client Security Fund Reports for the Quarter Ended March 31, 2003  |
| (Herman)    | 54-111 | Memorandum of Understanding Between the State Bar of California and the Foundation of the State Bar of California—proposed extension of contract |
| (Herman)    | 54-112 | Fixing the Date and Place of the 2003 State Bar Annual Meeting   |
| (Lindstrom) | 54-131 | Member Requests for Adjustments to Fees and/or Penalties   |
| (Lindstrom) | 54-132 | Board of Legal Specialization—16th Annual Report   |
| (Lindstrom) | 54-133 | Office of Legal Services Access and Fairness Committees and Commissions—Annual Reports:  |
|             |        | California Commission on Access to Justice   |
|             |        | California Young Lawyers Association   |
|             |        | Committee on Ethnic Minority Relations   |
|             |        | Committee on Sexual Orientation and Gender Identify Discrimination   |
|             |        | Committee on Women in the Law  |
|             |        | Standing Committee on Delivery of Legal Services   |
|             |        | Standing Committee on Legal Professionals with Disabilities  |
|             |        | Standing Committee on Senior Lawyers   |

- |                          |        |  |
|--------------------------|--------|--|
| (Copeland)               | 54-151 | Commission on Judicial Nominees Evaluation—proposed extension of terms   |
| (Zamora/<br>Van de Kamp) | 54-164 | Board Members' Role in Member and Public Outreach—proposed adoption of activities  |
| (Herman)                 | 55     | Report of Emergency Fax Poll Action Taken by the Board between Meetings, April 25-29, 2003, re Acceptance of Independent Auditors' Report for Year Ended December 31, 2002 |

## 100-300    **REPORTS OF BOARD COMMITTEES**

- |           |  |                            |
|-----------|--|----------------------------|
| (Herman)  | <b>110    <i>Board Operations</i></b>  | 10:27 a.m.<br>(25 minutes) |
|           | 110 Committee Activity Since Last Board Meeting—report   |                            |
|           | 113 Conflict of Interest Disclosure Level for the State Bar's Group Insurance Committees—proposed amendments following public comment period   |                            |
|           | *114 <i>Olson v. Cohen</i> —request for amicus curiae participation  |                            |
|           | 116 Task Force on Sections—report  |                            |
|           | 117 ABA Working Group—report   |                            |
|           | 118 Governance Structure—discussion  |                            |
|           | 119 Fee Bill—discussion  |                            |
| (Persons) | <b>120    <i>Regulation, Admissions, &amp; Discipline Oversight</i></b>  | 10:52 a.m.<br>(8 minutes)  |
|           | 120 Committee Activity Since Last Board Meeting—report   |                            |
|           | 121 <i>Rules of Procedure of the State Bar Court</i> , Rule 60 [Service of Document]—proposed amendments following public comment period   |                            |
|           | 122 <i>Rules of Procedure of the State Bar Court</i> , Rule 465 [Evidence in B&P Code 6007 (c) [Proceedings]—proposed amendments following public comment period                     |                            |
|           | 123 <i>Rules of Procedure of the State Bar Court</i> , Rule 621, [Notice of Disciplinary Charges in B&P Code 6094.1 Proceedings]—proposed amendments following public comment period |                            |

124 *Rules of Procedure of Fee Arbitrations and the Enforcement Awards by State Bar Fee Arbitration*—proposed amendments following public comment period

**700 MISCELLANEOUS**

11:00 a.m.  
(15 minutes)

705 Commission on Judicial Nominees Evaluation—presentation by Abbe McCall, Chair

**[SPECIAL ORDER OF BUSINESS: 11:00 a.m.]**

(Lindstrom)

**130 Member Oversight**

11:15 a.m.  
(8 minutes)

130 Committee Activity Since Last Board Meeting—report

134 *MCLE Rules and Regulations* re Compliance Report Process—proposed amendments following public comment period

135 *Rules and Regulations of the State Bar of California*—proposed interim adoption of Article I, Section 7.2 [Waiver of 2003 Membership Fees and Penalties for Members of Armed Services]

(Capozzi)

**140 Planning, Program Development, and Budget**

11:23 a.m.  
(7 minutes)

140 Committee Activity Since Last Board Meeting—report

(Copeland)

**150 Volunteer Involvement**

11:30 a.m.  
(7 minutes)

150 Committee Activity Since Last Board Meeting—report

(Zamora)

**160 Stakeholder Relations**

11:37 a.m.  
(13 minutes)

160 Committee Activity Since Last Board Meeting—report

161 Report of the Chief Legislative Counsel

162 Immediate Action Items

163 Consideration of Bills of Others Introduced in 2003

**700 MISCELLANEOUS**

11:50 a.m.  
(20 minutes)

(Lindstrom/  
Persons)

702 California Bureau of State Audits, State Auditor's 2003 Report—discussion

(Lindstrom/  
Persons)

703 Independent Auditors' Report for Year Ended December 31, 2002—  
discussion

(Lindstrom/  
Persons)

704 Financial Reporting—discussion

**BREAK:**

12:10 p.m.  
(15 minutes)

**CLOSED SESSION**

12:25 p.m.  
(15 minutes)

**1000 MINUTES**

March 20-21, 2003

*(Closed pursuant to Rules Governing Open Meetings, Closed Sessions  
and Records of the Board of Governors, article 5, section 3(a))*

**2000 REPORTS OF SPECIAL COMMITTEES AND TASK FORCES**

None

**3000 REPORTS OF BOARD COMMITTEES**

(Herman)

**3110 Board Committee on Operations**

3115 Byron Cooper—claim

*(Closed pursuant to Business and Professions Code section 6026.5(a))*

**4000 STAFF REPORTS**

**4010** General Counsel—report (a) certain litigation (to be identified), (b) any settlement matters, (c) prospective litigation, (d) any requested waivers of claims of privilege

\*114 *Olson v. Cohen*—request for amicus curiae participation

*(Closed pursuant to Business and Professions Code section 6026.5(a))*

**5000 CLOSED CONSENT**

None

(Copeland)

**6000 APPOINTMENTS**

**6010 CLOSED CONSENT**

6011 Legal Aid Foundation of Los Angeles—appointment of attorney member to Board of Directors

6012 Legal Aid Society of Orange County—appointment of attorney member to Board of Directors

6013 Legal Services of Northern California—appointment of attorney member to the Board of Directors

6014 Fee Arbitration Department—appointment of new arbitrators

6015 Section Executive Committees—2003-2004 appointment of members and officers

*(Closed pursuant to Business and Professions Code section 6026.5(g))*

**ADJOURN**

12:40 p.m.